

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LEAH NICOLE HUNTER,)	Case No.: 1:23-cv-00721-EPG (SS)
)	
Plaintiff,)	STIPULATION FOR THE AWARD AND
)	PAYMENT OF ATTORNEY FEES AND
vs.)	EXPENSES PURSUANT TO THE EQUAL
)	ACCESS TO JUSTICE ACT AND COSTS
KILOLO KIJAKAZI,)	PURSUANT TO 28 U.S.C. § 1920
Acting Commissioner of Social Security,)	
)	(ECF No. 16)
Defendant.)	
)	
)	

TO THE HONORABLE ERICA P. GROSJEAN, MAGISTRATE JUDGE OF THE
DISTRICT COURT:

IT IS HEREBY STIPULATED, by and between the parties through their undersigned
counsel, subject to the approval of the Court, that Leah Nicole Hunter (“Hunter”) be awarded
attorney fees and expenses in the amount of one thousand two hundred seventy dollars
(\$1,270.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs
under 28 U.S.C. § 1920. This amount represents compensation for all legal services rendered on
behalf of Hunter by counsel in connection with this civil action, in accordance with 28 U.S.C. §§
1920; 2412(d).

1 After the Court issues an order for EAJA fees to Hunter, the government will consider
2 the matter of Leah Nicole Hunter's assignment of EAJA fees to Lawrence D. Rohlffing. The
3 retainer agreement containing the assignment is attached as exhibit 1. Pursuant to *Astrue v.*
4 *Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to honor the assignment will depend on whether
5 the fees are subject to any offset allowed under the United States Department of the Treasury's
6 Offset Program. After the order for EAJA fees is entered, the government will determine
7 whether they are subject to any offset.

8 Fees shall be made payable to Hunter, but if the Department of the Treasury determines
9 that Hunter does not owe a federal debt, then the government shall cause the payment of fees,
10 expenses and costs to be made directly to Law Offices of Lawrence D. Rohlffing, Inc., CPC,
11 pursuant to the assignment executed by Hunter.¹ Any payments made shall be delivered to
12 Lawrence D. Rohlffing.

13 This stipulation constitutes a compromise settlement of Hunter's request for EAJA
14 attorney fees, and does not constitute an admission of liability on the part of Defendant under the
15 EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and
16 bar to, any and all claims that Hunter and/or Lawrence D. Rohlffing including Law Offices of
17 Lawrence D. Rohlffing, Inc., CPC may have relating to EAJA attorney fees in connection with
18 this action.

19 This award is without prejudice to the rights of Lawrence D. Rohlffing and/or the Law
20 Offices of Lawrence D. Rohlffing, Inc., CPC to seek Social Security Act attorney fees under 42
21 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

22
23
24
25
26 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien under federal law
against the recovery of EAJA fees that survives the Treasury Offset Program.

1 DATE: July 27, 2023

Respectfully submitted,

2 LAW OFFICES OF LAWRENCE D. ROHLFING, INC., CPC

3 /s/ *Lawrence D. Rohlfing*

4 BY: _____

Lawrence D. Rohlfing

Attorney for plaintiff [SS Claimant-Whole Name]

6
7 DATED: July 27, 2023

PHILLIP A. TALBERT

United States Attorney

8 MATHEW W. PILE

Associate General Counsel

9 Social Security Administration

10 /s/ *Edmund Jack Darcher*

11 _____
EDMUND JACK DARCHER

12 Special Assistant United States Attorney

Attorneys for Defendant

13 KILOLO KIJAKAZI, Acting Commissioner of Social
14 Security (Per e-mail authorization)

ORDER

Based on the parties' stipulation (ECF No. 16), IT IS ORDERED that Plaintiff be awarded attorney fees and expenses in the amount of one thousand two hundred seventy dollars (\$1,270.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920 according to the terms of the stipulation.

IT IS SO ORDERED.

Dated: August 1, 2023

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE